Applicant: John Mantegna et al Attorney's Docket No.: 06975-207001

Serial No. : 09/845,084 Filed : April 30, 2001 Page : 9 of 10

## REMARKS

This amendment is being filed concurrently with a Request for Continued Examination.

Applicant asks that all claims be allowed in view of the amendment to the claims and following remarks.

Claims 1-35 are pending, with claims 1, 10, 17 and 27 being independent. Claims 1, 10 and 17 have been amended and claim 27-35 have been added. No new matter has been introduced.

## Telephone Interviews

Applicant thanks the Examiner for the courtesies extended to applicant's representative during the telephone interviews on July 24, 2006, July 31, 2006 and August 1, 2006. During the telephone interview on August 1, 2006, applicant and the Examiner discussed the above-listed amendments to the claims in light of the current § 103 rejection over Cohen (U.S. Patent NO. 5,825,771) in view of Borella (U.S. Patent No. 6,434,606). Applicant thanks the Examiner for the indication that the amendment to claims 1, 10 and 17, and newly added claim 27, include features that are patentable over the current § 103 rejection

## Pending Rejections

Applicant asserts that the pending rejections of claims 1-26 are rendered moot by the amendments to the claims and the Examiner's indication that amended independent claims 1, 10 and 17, and newly added independent claim 27 distinguish the applied art. As such, applicant respectfully requests allowance of claims 1-35.

Applicant also hereby requests an interview prior to additional action by the Examiner to the extent that the Examiner wishes to maintain the current rejection in the additional action.

## Conclusion

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession

Applicant : John Mantegna et al Serial No. : 09/845,084

Filed : April 30, 2001 Page : 10 of 10

of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this reply should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this reply, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Pursuant to 37 CFR §1.136, applicant hereby petitions that the period for response to the action dated April 5, 2006, be extended for one month to and including August 5, 2006. The fees in the amount of \$120 for the one month extension of time fee is being paid herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Attorney's Docket No.: 06975-207001

Date: 8/7/06

Fish & Richardson P.C. 1425 K Street, N.W.

11th Floor

Washington, DC 20005-3500 Telephone: (202) 783-5070 Facsimile: (202) 783-2331

40359450.doc

Stephanie Deckter Stephanie M. Deckter Reg. No. 58,652